

**TOWN OF ARLINGTON**  
**TOWN MEETING ELECTRONIC VOTING STUDY COMMITTEE**

*March 20, 2013*

**Call to Order**

The regular meeting of the Town Meeting Electronic Voting Study Committee was called to order by Committee Chair Eric Helmuth in the Second Floor Meeting Room of the Town Hall Annex on Wednesday, March 20, 2013, at 8:15 PM.

*Quorum*

A quorum was present: Raymond Charbonneau III, Steve Storch, Elizabeth Patton, Adam Auster, and Eric Helmuth.

John Leone arrived after the start of the meeting.

**Approval of Minutes**

MOTION:  
*Approval of  
Minutes*

Mr. Charbonneau moved that the minutes of the March 6, 2013, meeting be approved.

The motion passed.

**Reports**

*Chair*

Committee Chair Eric Helmuth said that he and John Leone explained the Committees's intentions to the Board of Selectmen, which unanimously supported Warrant Article 12 earlier this month.

He said that at the Selectmen's meeting Selectman Diane Mahon asked the Committee to address issues related to voting with disabilities.

He said that Selectman Dan Dunn spoke at length about the cultural change that electronic voting might introduce.

Ms. Patton volunteered to investigate how other town meetings accommodate disabilities for electronic voting.

## **New Business**

DISCUSSION:

*Bylaw*

*Recommendation*

Mr. Helmuth introduced two draft provisions based loosely on those of a bylaw proposal being developed for Lexington's Town Meeting, which is also studying electronic voting.

One proposal would require the Moderator to formalize and document his or her rules related to electronic voting and to consult with the Town Meeting Procedures Committee. The other would only permit electronic voting upon authorization by Town Meeting at each meeting.

These proposals are attached to these minutes.

Mr. Helmuth said that he did not believe that either of these provisions is needed to allow Town Meeting to vote electronically, but suggested that they might increase confidence in the Committee's proposed bylaw were they included.

After discussion the committee members declined to include either provision.

The Committee considered two different proposed bylaw amendments prepared by Mr. Leone.

The two proposals differ as follows. One would require a completely new electronic vote whenever voting escalates from electronic tally to electronic roll call. The other would accomplish the roll call by revealing the complete voting data from the tally.

Mr. Helmuth distributed copies of each of these presented in two formats, a clean copy and a copy shown as marked-up changes to the existing bylaw, Article 10.C.

These four documents are appended to these minutes.

At this point the committee proceeded informally, discussing proposed changes that primarily had to do with simplifying and clarifying the wording and incorporating the results of these discussions by general consent.

Mr. Auster presented a proposal that close electronic tallies be automatically escalated to electronic roll-call votes so as to discourage illegal proxy voting. A copy of this proposal, which is drafted as an amendment to Mr. Leone's two proposals, is appended to these minutes.

MOTION:  
*Close  
Electronic  
Votes*

Mr. Auster made the following motion related to the drafts prepared by Mr. Leone:

To add the following sentence at the end of the second paragraph:

In an instance where the difference between the yes and no votes according to an electronic tally is less than 6 votes, then the individual votes shall be displayed.

The motion passed by a vote of 5 to 1.

The Committee agreed to recommend the proposal allowing an electronic roll call using the voting data revealed from a preceding electronic tally, if any, so that a new vote would not need to be taken.

Mr. Leone agreed to draft a version requiring a new vote for each roll call, which could be available to Town Meeting if members wanted such a procedure in the course of deliberations under Article 12 of this year's warrant.

MOTION:  
*Bylaw*

Ms. Patton moved to recommend that Town Meeting replace Article 10.C of Title I of the bylaws with the following:

All votes, unless otherwise provided by law, shall be taken in the first instance by a "yes" and "no" voice vote, or by an electronic tally. If the Moderator is in doubt as to the voice vote, or if five voters immediately question a voice vote, the Moderator shall call for a standing vote or an electronic tally. In an instance where the difference between the yes and no votes according to an electronic tally is less than 6 votes, then the individual votes shall be displayed.

On all questions submitted for the consideration of the Town Meeting, when requested by thirty or more Town Meeting Members present at the meeting, there shall be a roll call vote, either by voice or by an electronic vote. If an electronic tally was previously taken on the question, the vote of each Town Meeting Member who voted electronically in the first instance shall be displayed and recorded. All roll call votes, oral or electronic, shall be recorded so as to indicate the individual vote of each Town Meeting Member who shall have voted. Said roll call votes, oral or electronic, shall be available as recorded at the Town Clerk' Office.

Whenever a vote of two-thirds of the Town Meeting Members present and voting is required on any matter, the Moderator may declare a motion passed by a voice vote or electronic tally of at least two-thirds in favor and a standing vote, or further electronic tally, need not be taken unless required by law or these Bylaws. The Town Clerk shall record the Moderator's declaration that the motion passed by a two-thirds vote in favor.

All electronic tallies and votes shall be recorded so as to indicate the individual vote of each Town Meeting Member. These results shall be electronically available to the public for a minimum of three years.

The motion passed.

MOTION:

*Adjournment*

Mr. Auster moved that the meeting adjourn.

The motion passed.

**Adjournment**

The meeting adjourned at 9:45 PM.

Adam Auster, *Secretary*

**APPROVED**

April 3, 2013

Adam Auster, *Secretary*

Documents attached to these minutes:

1. Proposals re moderator's promulgation of electronic voting rules and re Town Meeting authorization of electronic voting on a meeting-by-meeting basis (one page, untitled)
2. Two proposals to amend Town Bylaws Article 10.C ("Simple Change—One Votes" and "Simple Change—Two Votes") formatted simply
3. Same two proposals to amend Town Bylaws Article 10.C ("Simple Change—One Votes" and "Simple Change—Two Votes") formatted as marked-up changes to existing bylaw
4. Proposal governing close votes ("Close Votes Provision")

**(1)** The Moderator, in consultation with, the Town Meeting Procedures Committee and the Town Clerk, is authorized to define operating rules governing the use of the electronic system. Beyond addressing the general procedures for operating the electronic system, these rules shall include, but not be limited to, procedures for:

- (a) Challenging a vote,
- (b) Enhancing the security and integrity of the voting process,
- (c) Testing of the electronic system every time it is started, and
- (d) A physical record of the results of each electronic vote being provided to the Town Clerk immediately following each electronic vote.

**(2)** Use of the electronic system and its corresponding operating rules must be authorized by a majority vote of Town Meeting.

- (a) Such authorization may occur at a session of any Town Meeting, but must occur before the electronic system is used.
- (b) Such authorization shall remain in effect for the term of the Meeting, unless a majority vote of Town Meeting revokes such authorization

## **Simple change -ONE votes**

### **Title I- General Government**

#### **ARTICLE 1: TOWN MEETINGS,**

##### **Section 10. Procedural Rules, C. Votes:**

(ART. 13, ATM – 04/29/92), (ART. 22, ATM – 05/11/11)

All votes, unless otherwise provided by law, shall be taken in the first instance by a "yes" and "no" voice vote, or if an electronic tally and display system is available, by an electronic tally. If the Moderator is in doubt as to the voice vote, or if five voters immediately question a voice vote, the Moderator shall call for a standing vote, or if an electronic tally and display system is available, an electronic tally.

On all questions submitted for the consideration of the Town Meeting, there shall be a roll call vote, either by voice, or if an electronic tally and display system is available, an electronic vote, when requested by thirty or more Town Meeting Members present at the meeting. If an electronic tally was previously taken on the question, then in lieu of a second electronic vote, the vote of each Town Meeting Member who voted electronically in the first instance shall be displayed and recorded. All roll call votes, oral or electronic, shall be recorded so as to indicate the individual vote of each Town Meeting Member who shall have voted. Said roll call votes, oral or electronic, shall be available as recorded at the Town Clerk's Office.

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All electronic votes, on the main Articles and substitute motions, shall be electronically recorded so as to indicate the individual vote of each Town Meeting Member who shall have voted. Said electronic votes, shall be available, as recorded on the Town's website for a minimum of three years

## **Simple change –TWO votes**

### **Title I- General Government**

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### **Close votes provision**

Move to amend the second paragraph's first sentence

On all questions submitted for the consideration of the Town Meeting, there shall be a roll call vote, either by voice, or if an electronic tally and display system is available, an electronic vote, when requested by thirty or more Town Meeting Members present at the meeting.

by inserting the following clause at the end:

or if the difference between yes and no votes according to an electronic tally is less than six votes

so that the sentence shall read as follows:

On all questions submitted for the consideration of the Town Meeting, there shall be a roll call vote, either by voice, or if an electronic tally and display system is available, an electronic vote, when requested by thirty or more Town Meeting Members present at the meeting, or if the difference between yes and no votes according to an electronic tally is less than six votes.